

**WEST VALLEY CITY
PLANNING COMMISSION
MINUTES**

February 11, 2015

The meeting was called to order at 4:00 p.m. by Chairman Barbara Thomas at 3600 Constitution Blvd., West Valley City, Utah

WEST VALLEY CITY PLANNING COMMISSION MEMBERS

Harold Woodruff, Brent Fuller, Jack Matheson, Terri Mills, Barbara Thomas, Clover Meaders, and Latai Tupou

ABSENT

N/A

WEST VALLEY CITY PLANNING DIVISION STAFF

Steve Pastorik, Steve Lehman, Kevin Despain, and Nichole Camac

AUDIENCE

Approximately eleven (11) people were in the audience

SUBDIVISION APPLICATIONS

S-1-2015

ARA Industrial Center Subdivision – Phase 1

2450 South 6755 West

M Zone

1 Lot

26 Acres

BACKGROUND:

Corbin Bennion representing Natomas Meadows LLC, is requesting minor subdivision approval for the 1st phase of the ARA Industrial Center Subdivision. The subject property is located immediately to the west of Freeport West Phase 1 and is zoned manufacturing.

ISSUES:

The proposed subdivision is being submitted to create a 2 lot subdivision. Along with the division to create these lots, a parcel is also being shown on the plat. The parcel represents property that will eventually be dedicated as a future right-of-way for 2540 South. However, it is not yet known what the alignment of this road will be, so this parcel has been created as a placeholder until those decisions are made in the future.

The primary access to the subdivision will be gained from 6755 West. This road connects with the SR-201 frontage road and 2540 South which then connects to 6400 West. Although an access point will come off of SR-201 to the west of this lot, the primary access for this lot will be from 6755 West.

During the review of the Freeport West Phase 1 plat, a portion of 2540 South (at the southwest corner) was not dedicated. This phase will complete the dedication of that remaining portion. As mentioned previously, the extension of 2540 South will occur as property to the west develops. The cross section to be used here as well as future rights-of-way within the development site will be 66 feet. A parkstrip and sidewalk will be located on one side of the roadway which is standard in the manufacturing zone.

The City has completed work with the installation of curb and gutter along the south side of the SR-201 frontage road. In addition to these improvements, the overhead power lines have been placed under ground in a 10-foot public utility easement. The developer will be responsible for landscaping and site improvements which will be reviewed as part of the conditional use process.

Future uses within the subdivision will be reviewed as conditional uses. At that time, staff and agency comments will be more thoroughly addressed. The subdivision plat will contain easements dedication of right-of-way and other information applicable to the division of property.

STAFF ALTERNATIVES:

1. Approve first phase of the ARA Industrial Center Subdivision subject to a resolution of staff and agency comments.
2. Continue the application in order for the developer to address the Planning Commissions concerns.

Applicant:

Corbin Bennion

Dominion Engineering

Discussion: Steve Lehman presented the application. Jack Matheson asked if 6755 W and 6400 W have been constructed. Steve replied yes but added that they are not yet open to the public.

Terri Mills asked if there is an anticipated date for the roads to open. Corbin Bennion, the applicant, stated that the roads could open soon and are likely pending engineering and traffic approval. He stated that there is a road that is also constructed next to the Riter Canal and this was dedicated as part of a previous subdivision approval. Mr. Bennion added that there will be a driveway for truck traffic coming off 201.

Motion: Commissioner Matheson moved for approval.

Commissioner Fuller seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Meaders	Yes
Commissioner Mills	Yes
Commissioner Tupou	Yes
Commissioner Woodruff	Yes
Chairman Thomas	Yes

Unanimous-S-1-2015- Approved

S-2-2015

**Diamond Summit Unit 15C - Lots 1501-1503 Amended
6472 Mount Adams Drive
R-1-8 Zone**

BACKGROUND:

Perry Homes is requesting consideration to amend lots 1501-1503 of the Diamond Summit Unit15C Subdivision. The purpose for the amendment is to adjust mutual property lines between each lot.

ISSUES:

The Diamond Summit Unit 15C Subdivision was recorded with the Salt Lake County Recorder's Office in January 2014. Prior to recording the subdivision plat, Perry Homes wanted to get going on the installation of the public improvements. This is a practice that is not uncommon, but the developer does need to have the construction drawings approved, and the appropriate City inspections.

Once the installation of the curb and gutter are complete, the developer's surveyor will install pins in the top of the curb to delineate the side property lines of each lot. Unfortunately, the location of the pins placed in the curb were based on an earlier version of the subdivision plat. As a result, the property line between lots 1501 and 1502 was off by approximately 4 feet.

The owner of lot 1501 purchased his lot based on the recorded subdivision which is correct. However, because of the pin placement, he was under the impression that he had additional property to install an R.V. pad. Rather than go back to the owner of lot 1501 to have him reconfigure his site layout, Perry Homes wanted to explore other options to resolve the situation.

Staff met with Perry Homes and the Engineering firm that installed the pins. The solution that seems to work for all involved, including the future owner of lot 1502, is to amend the subdivision plat by shifting the property line to accommodate the existing improvements on lot 1501, and the pending new home on lot 1502. However, shifting the property line to the south would also impact lot 1503, which is owned by City. This property was acquired to provide a trail connection with the Mountain View Corridor trail system.

Staff explained that any alteration to this lot would need to be coordinated with the City's Parks Department. Perry Homes made contact with the Parks Department Director and have reached an agreement for this to happen. In consideration of the City's willingness to allow the amended plat, Perry Homes has agreed to the following:

1. Remove all rock and other debris from the property.
2. Grade the property in accordance with the City's Parks Department plans for the site.
3. Install a 10-foot wide concrete walkway from the sidewalk to the Mountain View Corridor trail system.
4. Install a drive approach that will allow easier access for pedestrians or those using strollers to access the trail.

The Parks Department believes that these items will more than adequately cover any costs associated with the loss of approximately 400 square feet of park space. The agreement has been signed by both Perry Homes and the Parks Department. These improvements will be installed at such time as the Parks Department deems them appropriate.

To summarize, the application will adjust the mutual property lines between lots 1501-1503. The existing utility easements will be adjusted to follow the new property lines.

STAFF ALTERNATIVES:

1. Approval of the Amendment to lots 1501-1503 of the Diamond Summit Unit 15C Subdivision.
2. Continuation, to address issues raised during the public hearing.

Applicant:

Jeff Taylor
17 E Winchester #220
Murray, UT 84107

Discussion: Steve Lehman presented the application. Jeff Taylor, representing the applicant, stated that he feels this is a reasonable solution to a problem that occurred. Jack Matheson asked if UDOT will install a sound wall to the rear of these lots. Mr. Taylor replied that he isn't sure but indicated he is not aware of a sound wall on other properties in Diamond Summit.

Motion: Commissioner Mills moved for Tupou.

Commissioner Tupou seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Meaders	Yes
Commissioner Mills	Yes
Commissioner Tupou	Yes
Commissioner Woodruff	Yes
Chairman Thomas	Yes

Unanimous-S-2-2015- Approved

SV-1-2015

John Henry Drive – Street Vacation (2570 West)

BACKGROUND

West Valley City is requesting a street vacation for all of John Henry Drive. This street is located at 2365 South 2570 West.

John Henry Drive was dedicated by the Cache Valley Electric Company in 1996. The purpose for the dedication was to provide access for what would be a new building site and to provide a potential connection with undeveloped property to the north of the Brighton North Point Canal. The right-of-way was located entirely on property owned by Cache Valley Electric.

The street has existed as it was dedicated since 1996. Property to the north has since developed and did not require access from John Henry Drive. The City recently learned that Cache Valley Electric is proposing to leave West Valley City. Rather than allow a prime industrial property to sit vacant, the City's Economic Development Division has worked to secure a new owner, which is CCI Mechanical.

As part of the negotiations with CCI Mechanical to make this site more attractive and secure for their business operations, they inquired as to the possibility of vacating John Henry Drive. The City explained the process and discussed various reasons why the vacation makes sense. These are listed below:

1. The existing road dead-ends without an approved turnaround.
2. Property to the north has developed without the need for secondary access.
3. Property within the vacated right-of-way could be incorporated into a revised site plan.
4. Property within the vacated right-of-way would be put back on the tax rolls.
5. The Cache Valley Electric site is the only property that is utilizing this street.

Typically, when a street is vacated, half of the right-of-way would go to each adjacent property owner. However, in this case, Cache Valley Electric deeded the entire right-of-way for John Henry Drive. As a result, the entire right-of-way will go back to Cache Valley Electric, or their successors in interest.

As part of the application, the City sends out notices regarding the application. One such recipient of this notice is the State of Utah. The State owns property immediately to the west of John Henry Drive. Staff received a call from the Real Estate Manager inquiring about the vacation.

A concern was expressed that although the State does not presently use John Henry Drive, there may be redevelopment plans in the future that could benefit from this road if it was allowed to remain a dedicated right-of-way. Subsequent to our discussion, a letter was submitted by the State expressing their desire to keep this road open. (See attached letter)

Staff explained the reasoning behind the proposed vacation and stated that their site presently has access from 2365 South. A suggestion was made that the State could also reach out to the new property owner to see if a portion of what will be vacated could be jointly used between the two parties. This would be a perpetual access easement that could be maintained in common if agreed by both parties.

According to City ordinance, street vacations shall be reviewed by the Planning Commission with a recommendation to the City Council.

RECOMMENDATION

Approval of the street vacation as submitted.

Continue the application due to issues raised at the public hearing.

Applicant:

Davis Mulholland
758 S Redwood Road

Opposed:

Lee Fairbourne
State of Utah

Favored:

Jeff Jackson
West Valley City RDA

Discussion: Steve Lehman presented the application. Terri Mills asked what type of fencing currently exists between the two properties. Steve replied that he believes it is chain-link.

Lee Fairbourne, representing the State of Utah, stated that the State is concerned about potential access issues with their facility if the site redevelops in the future. Jack Matheson asked how many people currently work at the facility. Mr. Fairbourne replied that he isn't sure but indicated that it is a correctional facility for people on parole and is minimum security. Commissioner Matheson stated that it doesn't seem like there would be a lot of traffic on the property and a secondary access doesn't sound necessary. Terri Mills stated that the site looks built out and questioned if a demolition could take place in the future if the site redevelops. Mr. Fairbourne replied it is a possibility.

Jeff Jackson, representing West Valley City RDA, stated that the facility was built prior to John Henry drive being constructed and it was built without anticipation of this access. Mr. Jackson indicated that the City worked closely with CCI Mechanical to relocate to this site after Cache Valley decided to leave the City. He stated that CCI Mechanical felt comfortable with the site under the assumption that John Henry Drive could be vacated. Mr. Jackson stated that the State facility treats sex offenders and CCI Mechanical wants to ensure the safety of its employees who will work at various times through the day and night.

Davis Mulholland, representing CCI Mechanical, stated that his business has been operating out of Salt Lake City for 52 years and he is looking forward to relocating in West Valley City. He indicated that the vacation of the road will allow more flexibility in adding additional office space in the future since setbacks for additions would be an issue. Mr. Mulholland stated that there are over 100 employees that work in the office that include mechanical engineers and administrative staff. He added that the warehouse portion of the building will have 400 to 500 employees that operate under a union. Barbara Thomas asked if fencing will be installed on the west end. Mr. Mulholland replied that he may add a decorative fence but plans haven't been worked out completely at this point. Chairman Thomas asked if the applicant is open to working with the State on providing access. Mr. Mulholland replied yes and indicated that he wants to ensure secure access to his property but is open to looking at ideas to see if something can be worked out.

Chairman Thomas asked if parolee's stay at the facility. Mr. Fairbourne replied that there are 60 beds but indicated that he is unsure of duration of stay. He stated that it is low level security and there are mental health and rehabilitation programs.

Harold Woodruff stated that he sees how John Henry Drive could be beneficial to the State facility but added that the property was originally owned by Cache Valley and it makes sense to allow the new property owner to regain it back. Jack Matheson agreed and indicated that CCI Mechanical should be allowed to secure their access and decide what to do with the vacated street.

Motion: Commissioner Fuller moved for approval.

Commissioner Matheson seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Meaders	Yes
Commissioner Mills	Yes

Commissioner Tupou	Yes
Commissioner Woodruff	Yes
Chairman Thomas	Yes

Unanimous-SV-1-2015- Approved

CONDITIONAL USE APPLICATIONS

C-2-2015

Miguel Auto Repair (Miguel Ordaz)

3675 W 2150 S

M Zone (0.49 acres)

Approved Use: Auto Repair and Restoration

The applicant Miguel Ordaz, representing Migeul Auto Repair, request a conditional use amendment for Auto Repair and Restoration at 3675 W 2150 S. The building contains three tenant spaces and he will occupy the central unit (units 1&2). The building was approved back in 1978 for office/warehouse type uses. This site has had auto repair in the past but the use has since been abandoned, therefore the applicant seeks approval. The site is zoned M, Manufacturing and classified as light manufacturing in the West Valley City General Plan.

The leased space is approximately 2,500 total square feet. The shop space is about 2,000 square feet. The remaining space is office or storage space. There is a single overhead door in front. The applicant intends to conduct auto repair in the front part of the space. Examples of repairs include brakes, oil changes, water pumps, battery replacements, drivability diagnoses, timing belts, transmissions, ball joints, tie rod ends, and various other services. In the rear of the shop space, Mr. Ordaz will conduct car restoration projects. All cars being worked on, including dismantled cars, will be contained within the shop space. All oils and fluids will be properly stored in appropriate containers.

The applicant will occupy 6 parking stalls as shown in the site plan which satisfies the parking requirement for this use. The paving is in good shape but new parking stalls will need to be painted. The hours of operation will be from 8:00 am to 6:00 pm, Monday to Friday.

Staff Alternatives:

Approval, subject to the resolution of any concerns raised at the public hearing as well as the following conditions:

1. The approved use is Auto Repair and Auto Restoration.
2. Automotive repairs shall only be conducted within the building and shall not be conducted outside or in any parking areas.
3. The site is to be well-maintained and free of garbage or trash. Junk or inoperable vehicles shall not be stored outside the shop.
4. Parking shall conform to City Ordinance. Parking stalls shall be re-painted.

5. A Hazardous Materials permit shall be obtained through the West Valley City Fire Department and maintained current while this use is active.
6. All requirements of affected departments and agencies must be met including the West Valley City Fire Department.
7. All signage shall comply with the West Valley City Sign Ordinance, including all temporary signs
8. This use is subject to review upon a valid complaint.

Continuance, for applicant to resolve concerns raised at the public hearing.

Applicant:

N/A

Discussion: Kevin Despain presented the application. The applicant was not present. The Planning Commission had no further questions or concerns.

Motion: Commissioner Meaders moved for approval subject to the 8 staff conditions.

Commissioner Tupou seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Meaders	Yes
Commissioner Mills	Yes
Commissioner Tupou	Yes
Commissioner Woodruff	Yes
Chairman Thomas	Yes

Unanimous-C-2-2015- Approved

C-3-2015

Roberts Auto LLC (David Roberts)

2850 S Redwood Rd Unit: B-18

C-3 Zone (4.84 Acres)

Approved Use: Wholesale Auto Dealership

The applicant, David Roberts, representing Roberts Auto LLC, requests conditional use amendment approval for a wholesale auto buyer and dealer at 2850 S Redwood Road in unit B-5. The zoning for this area is C-3, Transitional Commercial. The West Valley City General Plan anticipates this area for Commercial and Light Manufacturing. The area to the north includes various offices and light manufacturing uses which are zoned Manufacturing. The area to the south is the Oquirrh Meadows Assisted Living facility. There is C-2 General Commercial across the street.

The buildings were approved in 1984 (C-25-1984) as an Office/Warehouse Park. In 2008, the property owners received approval for an amendment to the original conditional use to lift some former use limitations and reestablish conditions of approval for the site. One of the conditions states, "Auto sales and service are prohibited at this time. If a future auto sales or service use is proposed it must be approved by the Planning Commission in a public hearing." Another condition of approval states that no outside storage will be allowed.

This application is to approve a wholesale auto buyer and dealer in building 'B' which is on the north side of the property. There is a 60 foot 'alley' between buildings 'B' and 'C' to the south. The tenant space is 1,600 square feet with 1,300 square feet for warehouse space and 300 square feet for the office. There is one overhead door accessed from the alley. Roberts Auto will purchase newer used vehicles online or at auto auctions which will then be brought to the site. The applicants are contractors by trade and primarily will sell trucks to others in the construction industry. Vehicles will be stored within the warehouse area. The majority of sales will be conducted online; however, some sales will occur out of the warehouse. They anticipate holding as many cars as the space will accommodate. There will be no mechanic work or servicing done on the vehicles. There will be no outside storage of vehicles overnight which is also a requirement of the property owners. The site has ample parking to accommodate this use.

Hours of operation will vary between from 8 am – 6 pm, Monday to Saturday by appointment as this will not be a full-time operation.

Staff Alternatives:

Approval, subject to the resolution of any concerns raised at the public hearing as well as the following conditions:

1. The approved use is Auto Dealer. Auto Mechanic or Repair shall not be conducted.
2. There shall be no outside storage for this use.
3. The site is to be well-maintained and free of garbage or trash, including junk and inoperable vehicles.
4. Deliveries and pickup of vehicles shall be conducted entirely on-site. The public right of way shall not be used for deliveries or pickups as per City Ordinance.
5. All signage shall comply with the West Valley City Sign Ordinance, including all temporary signs.
6. All requirements of affected departments and agencies must be met
7. This use is subject to review upon a valid complaint.

Continuance, for applicant to resolve concerns raised at the public hearing.

Applicant:

Dave Roberts
2850 S Redwood Road

Applicant:

Deryl Davis
3611 W 1987 S

Discussion: Kevin Despain presented the application. Barbara Thomas clarified that vehicles cannot be stored outside overnight. Kevin replied yes and added that the property owner has also specified this requirement. Dave Roberts, the applicant, stated that he is in agreement with the staff conditions and understands the lease agreements set forth by the property owner.

Daryl Davis, the property owner, stated that all lease agreements prohibit overnight parking outside. He indicated that he enforces this regularly and will remove any vehicles that do.

Motion: Commissioner Fuller moved for approval subject to the 7 staff conditions.

Commissioner Mills seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Meaders	Yes
Commissioner Mills	Yes
Commissioner Tupou	Yes
Commissioner Woodruff	Yes
Chairman Thomas	Yes

Unanimous-C-3-2015- Approved

PLANNING COMISSION BUSINESS

Approval of Minutes from January 14, 2015 (Regular Meeting) **Approved**

Approval of Minutes from February 4, 2015 (Study Session) **Approved**

There being no further business, the meeting adjourned at 4:43 p.m.

Respectfully submitted,

Nichole Camac, Administrative Assistant